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July 24, 2008

**VIA ECF**

Honorable Richard J. Sullivan  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Franklin v. Fuji Tech New York et al.*  
Docket No.: 07 CV 8590

Dear Judge Sullivan:

Pursuant to Your Honor's Order, dated July 22, 2008, the office of the undersigned respectfully requests permission to substitute as attorneys for plaintiff in the above referenced matter. Your Honor may recall that all parties were present at the scheduling conference held herein on July 22, 2008, at 4:30 P.M., at which time outgoing attorney for plaintiff, Steven Siegel, Esq., appeared and consented to the within substitution. It is further agreed by and between respective counsel for plaintiff herein that the said outgoing counsel, Steven Siegel, Esq., shall have a charging lien against the proceeds of any recovery had herein and the division of legal fees between plaintiff counsel will be determined at the conclusion of this matter.

In support of this application, I annex herewith a duly executed Consent to Change Attorney and Notice of Appearance of the undersigned.

Respectfully yours,

s/  
Kenneth T. Kerner (KK 5763)

Cc: All Counsel (VIA ECF)  
Encls.